

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

MARTHA A. COOK and )  
KENNETH W. COOK, )  
Plaintiffs, )  
v. ) CIVIL NO.: \_\_\_\_\_  
Judge: \_\_\_\_\_  
Magistrate Judge: \_\_\_\_\_  
STATE FARM MUTUAL AUTO )  
INSURANCE COMPANY, )  
Defendant. )

**NOTICE OF REMOVAL**

TO: Christopher D. Markel  
Duncan & Hatcher, P.C.  
701 Market Street, Suite 1000  
Chattanooga, TN 37402

Please take notice that on February 6, 2007, the Defendant, State Farm Mutual Automobile Insurance Company filed with the United States District Court for the Eastern District of Tennessee, Southern Division, this Notice of Removal in the above-styled action. This Notice of Removal is based upon the following facts:

1. On April 9, 2007, Plaintiffs filed a lawsuit against Defendant in the Circuit Court of Bradley County, Tennessee, Docket No. V-07-281. State Farm received a copy of the lawsuit on April 16, 2007, when it was served by mail from the Tennessee Secretary of State. Accordingly, this Notice of Removal is timely filed, being less than 30 days since receipt of the Summons and Complaint. Attached as **Exhibit A** are all process, pleadings, orders, and papers in the case served upon or otherwise in the possession of Defendant.

2. The face of Plaintiff's Complaint indicates that the damages sought are in excess of \$75,000.00. (See **Exhibit A**).

3. There is complete diversity of the parties in this lawsuit. State Farm is an Illinois corporation with its principal place of business in Illinois. As set forth in the Complaint, Plaintiffs are citizens and residents of Tennessee.

4. Due to the fact that there is complete diversity of the parties and that the amount in controversy is in excess of Seventy-Five Thousand Dollars (\$75,000), this Court has original jurisdiction over this matter pursuant to 28 U.S.C. Section 1332 and, accordingly, this action may be removed to this Court by the Defendants pursuant to 28 U.S.C. Section 1441.

5. A true copy of this Notice is being served upon Plaintiffs and filed with the Bradley County Circuit Court Clerk.

Respectfully submitted,

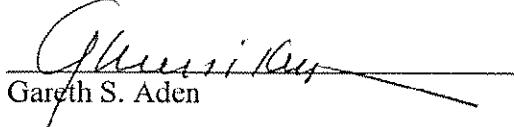


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ATTORNEYS FOR STATE FARM MUTUAL  
AUTOMOBILE INSURANCE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been served upon Plaintiffs' counsel, Christopher D. Markel, Duncan & Hatcher, P.C., 701 Market Street, Suite 1000, Chattanooga, TN 37402, by depositing a copy thereof in the United States Mail, first class, postage prepaid, this 11 day of May, 2007.

  
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Gareth S. Aden